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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,689	10/15/2003	Nirupama Kenkare	241501-1480	9176

24504 7590 03/06/2006

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EXAMINER

WONG, TINA MEI SENG

ART UNIT

PAPER NUMBER

2874

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/686,689

Applicant(s)

KENKARE ET AL.

Examiner

Tina M. Wong

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-17 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-17 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-30 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

This Office action is responsive to Applicant's response submitted 19 January 2006.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-17 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,782,176 to Greer in view of U.S. Patent 6,849,333 to Schissel et al.

In regards to claims 10 and 16, Greer discloses a method of forming an optical fiber comprising the steps of

- forming an optical fiber (12, 14) (Figure 1b)
 - applying a layer of primary coating material to the optical fiber
 - applying a layer of color coating material to the optical fiber (Column 5, Lines 20-40)
 - applying a secondary coating material to the optical fiber
- where each of the layers are applied prior to the other layers being cured. (Column 4, Lines 10-20, wet-on-wet application)

But Greer fails to specifically disclose drawing an optical fiber. Greer simply states an optical fiber is formed but does not elaborate on how the fiber is formed. However, drawing an optical fiber before applying several coating materials and curing is a commonly applied approach to forming optical fibers. For example, Schissel et al discloses drawing an optical fiber before applying a primary and secondary coat and UV curing the coats to form a coated optical

Art Unit: 2874

fiber. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have drawn an optical fiber before applying the coating layers.

In regards to claim 11, Greer discloses the layer of color coating material to be disposed and adjacent to the optical fiber (12, 14) and the layer of the primary coating material (16).

In regard to claim 12, Greer discloses the layer of color coating material disposed between and adjacent the layer of the primary coating material (16) and the layer of the secondary coating material (20).

In regards to claims 13 and 17, Greer discloses the step of applying a layer of the primary coating material further comprising applying a first layer of primary coating material (16) adjacent to the fiber (12, 14) and applying a second layer of primary coating material (18) between the adjacent the first primary coating material (16) and the secondary coating material (20).

In regards to claim 14, Greer discloses a layer of primary coating material (16) disposed between and adjacent the optical fiber (12, 14) and the layer of secondary coating material (18) and the layer of color coating material is disposed adjacent the layer of secondary coating (20).

In regards to claim 15, Greer discloses an optical fiber being formed.

In regards to claim 28, Greer discloses a system for forming an optical fiber comprising

- means for forming an optical fiber
- means for applying a layer of primary coating material to the optical fiber
- means for applying a layer of color coating material to the layer of the primary coating material before the application of a layer of secondary coating material
- means for applying a secondary coating material to the layer of the color coating material and

- means for curing the coated materials thus applied subsequent to the application of the last applied coating material.

But Greer fails to specifically disclose drawing an optical fiber. Greer simply states an optical fiber is formed but does not elaborate on how the fiber is formed. However, drawing an optical fiber before applying several coating materials and curing is a commonly applied approach to forming optical fibers. For example, Schissel et al discloses drawing an optical fiber before applying a primary and secondary coat and UV curing the coats to form a coated optical fiber. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have drawn an optical fiber before applying the coating layers.

In regards to claim 29, Greer discloses a means for applying a layer of primary coating material further comprising applying a first layer adjacent the optical fiber and a means for applying a second layer adjacent to the first layer.

In regards to claim 30, Greer discloses a method of forming an optical fiber comprising the steps of

- forming an optical fiber (12, 14) (Figure 1b)
- applying a first layer of coating material to the optical fiber (16)
- applying a second layer of coating material to the optical fiber (18)
- applying a third layer of coating material to the optical fiber (20)
- simultaneously curing the first, second and third layers after the application of the third layer.

But Greer fails to specifically disclose drawing an optical fiber. Greer simply states an optical fiber is formed but does not elaborate on how the fiber is formed. However, drawing an optical fiber before applying several coating materials and curing is a commonly applied approach to forming optical fibers. For example, Schissel et al discloses drawing an optical fiber

before applying a primary and secondary coat and UV curing the coats to form a coated optical fiber. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have drawn an optical fiber before applying the coating layers.

Response to Arguments

Applicant's arguments filed 19 January 2006 have been fully considered but they are not persuasive.

Applicant argues Greer fails to show or suggest that all three coatings are applied prior to curing any of the coatings. However, the Examiner disagrees. Although Applicant has directed the Examiner to segments of the Greer patent where the curing of the all the coatings are not done simultaneously, Greer also discusses another well-known technique, the wet-on-wet method of applying radiation curing to coatings. The wet-on-wet technique of curing coatings teaches multiple layers of an optical fiber to be applied before the coating/layers are cured. Greer teaches that either the wet-on-dry technique *or* the wet-on-wet technique can be used when curing the optical fiber. Although Greer may not detail the step further, the technique of wet-on-wet curing is clearly taught and suggested.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period


will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M. Wong whose telephone number is (571) 272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TMW


SUNG PAK
PRIMARY EXAMINER